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TAGS: [PHUM](#) [ESOC](#) [UNGA](#)

SUBJECT: EUROPEAN COOPERATION NEEDED ON UN RESOLUTION ON
RIGHTS OF THE CHILD

¶1. (SBU) Mission requests Department undertake urgent demarches in western capitals on the UN General Assembly resolution on the Rights of the Child. Delegation has been participating actively in informal consultations on this resolution and has found co-sponsors (EU and GRULAC) willing to accommodate US concerns in some areas and divided among themselves on others. In particular, on key US concerns relating to the characterizations of the Convention on the Rights of the Child (CROC) and references to the International Criminal Court (ICC), there seems to be a split, with GRULAC ready to accommodate US changes while Europeans and Canada are more resistant. We believe that demarches in capitals, particularly in EU countries, Norway, Liechtenstein, Switzerland and Canada, urging acceptance of US suggestions, which are based on previously agreed language, would be useful.

¶2. (SBU) The draft resolution on the Rights of the Child has many problems, and will not be perfect this year from the US point of view even if demarches are successful. We recommend strongly, however, that if our concerns on these key points are accommodated we be allowed to join consensus on the resolution as a whole, dealing with other problem areas with paragraph votes or EOPs. This resolution is in an area where the US has vital interests and a good record. Our tactic of non-engagement in recent years has left the US isolated and has contributed to a gradual worsening of the resolution as sponsors have no incentive to be sensitive to US views at all. We believe that by re-engaging actively and negotiating towards consensus in good faith we will have the opportunity over several years to gradually eliminate language harmful to US interests. Fixing the references to the CROC and ICC would represent a significant victory and be a very good start to such a multi-year campaign.

¶3. (U) Suggested talking points for demarche:

-- The US has worked seriously with co-sponsors of the UN Third Committee resolution on the Rights of the Child over the past several weeks, with the aim of achieving consensus for the first time in several years. The US shares with the European and Latin American co-sponsors a concern for the well-being and protection of children. We find it regrettable that the UN's major document on member states' treatment of children has been put to a vote each year since **¶2002**.

-- Two major issues stand in the way of the US being able to join consensus on this year's text.

-- First, the Convention on the Rights of the Child (CROC), to which the US is not/not a party, is characterized as THE only standard in the promotion and protection of the rights of the child, and the US is urged to become a party to the Convention.

-- The US has proposed an alternative formulation for PP2 that describes the CROC in terms agreed upon at the 2002 UN Special Session on Children, and has proposed the usual UN way of dealing with treaty ratifications in OP 2, namely urging states to CONSIDER becoming a party.

-- Second, the International Criminal Court (ICC) is mentioned in two paragraphs -- OP 17 and OP 34(d). The US has proposed an alternative formulation that refers to the ICC in neutral, rather than congratulatory, terms for OP 17. This formulation has been acceptable in several other UN resolutions. We do not see a need for two references to the ICC in this text.

-- The US hopes that key EU and other European countries will show flexibility on these two essential points and work constructively with the US to find a solution that will break the current impasse and lead to a consensus on this important human rights text.

-- The text of this draft resolution (A/C.3/61/L.16) can be found on the UN website www.un.org/ga/61/third/proposalslist.shtml.

End talking points.

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